

REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on June 4, 2001, and the references cited therewith.

Claims 1, 7, 8, and 13 are amended, no claims have been added or canceled; as a result, claims 1-23 are now pending in this application. The amendments more particularly describe the invention as claimed.

Objection to the Claims

Claims 2, 3, 4, 5, 12 and 17 were objected to because the term "the notifier" was considered to be unclear. Applicant notes that the specification, at page 7, lines 3-21 provides definition and examples for a notifier on a portable transceiver. Applicant submits that the claims are thus sufficiently clear so that one of ordinary skill in the pertinent art, when reading the claims in light of the supporting specification, is able to ascertain with a reasonable degree of precision and particularity the particular area set out and circumscribed by the claims (see *Ex parte Wu*, 10 USPQ 2d 2031, 2033 (B.P.A.I. 1989)(citing *In re Moore*, 439 F.2d 1232, 169 USPQ 236 (C.C.P.A. 1971); *In re Hammack*, 427 F.2d 1378, 166 USPQ 204 (C.C.P.A. 1970))). Applicant respectfully requests the withdrawal of the objection to claims 2-5, 12 and 17.

§102 Rejection of the Claims

Claims 1-10, 12 and 19-23 were rejected under 35 USC § 102(b) as being anticipated by Arledge et al. (US 5,561,703). Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *In re Dillon* 919 F.2d 688, 16 USPQ 2d 1897, 1908 (Fed. Cir. 1990) (en banc), cert. denied, 500 U.S. 904 (1991). It is not enough, however, that the prior art reference discloses all the claimed elements in isolation. Rather, "[a]nticipation requires the presence in a single prior reference disclosure of each and every element of the claimed invention, *arranged as in the claim*." *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added). Applicant respectfully submits that Arledge does not disclose each and every element of

Applicant's claims, and furthermore, the cited reference does not disclose each and every element as arranged in the claims.

For example, amended independent claim 1 recites "a notification controller connected to the bus and operative to detect the generated events." Thus in Applicant's invention as claimed, the notification controller operates within a single computer system. The Office Action implies that various servers within Arledge act as controllers. Applicant respectfully submits that the servers in Arledge are not controllers connected to the computer via a bus, and therefore cannot be considered "notification controllers." Furthermore, even if the servers in Arledge were notification controllers, they do not operate in a single computer system as arranged in Applicant's claims. In fact, the system in Arledge exhibits one of the problems that Applicant's invention as claimed solves. In Arledge, an external paging system is required in order to be notified of an event. This is quite different from Applicant's invention, which does not require an external paging system for event notification. As a result, Arledge does not teach or disclose each and every element of Applicant's claim 1.

Independent claims 7 and 8 each recite similar language with respect to the notification controller, and are therefore not anticipated for the reasons discussed above. Therefore, Applicant respectfully requests the withdrawal of the rejection of claims 1, 7, and 8.

Claims 2-6 and 19 depend from claim 1, claims 9 - 10 and 23 depend from claim 8, and claims 20-22 depend from claim 7. Each of these dependent claims are also not anticipated for the same reasons as their respective base claims. In addition, the dependent claims introduce further patentable distinctions.

For all of the above reasons, Applicant respectfully requests the withdrawal of the rejection of claims 1-10, 12 and 19-23.

§103 Rejection of the Claims

Claims 11 and 13-18 were rejected under 35 USC § 103(a) as being unpatentable over Arledge et al. (U.S. 5,561,703) as applied to claim 1 above. In order for the Examiner to establish a *prima facie* case of obviousness, three base criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally

available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *M.P.E.P.* § 2142 (citing *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir. 1991)). Applicant respectfully traverses the rejection, because the cited reference does not teach or suggest all of the claim limitations.

With respect to claim 11, Applicant notes that claim 11 is dependent on claim 8 and therefore inherits all of the base claims limitations. As discussed above, Arledge does not teach or disclose a notification controller coupled to a bus, and therefore cannot teach a method that includes "signaling software controlling a notification controller coupled to a bus and a transceiver that the event has been detected." Therefore Arledge does not teach each and every limitation of claim 11, and the rejection should be withdrawn.

With respect to computer-readable medium claim 13, it also recites "signaling software controlling a notification controller coupled to a bus and a transceiver that the event has been detected." As discussed above, Arledge does not teach or disclose a notification controller coupled to a bus. Therefore Arledge does not teach each and every element of Applicant's claim 13, and the rejection should be withdrawn. Claims 14-18 depend from claim 13, and thus are also not obvious for the same reasons as claim 13.

For the above reasons, Arledge does not teach each and every element of Applicants claims 11 and 13-18. Therefore, a *prima facie* case of obviousness does not exist and Applicant respectfully requests the withdrawal of the rejection of claims 11 and 13-18.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612-373-6954) to facilitate prosecution of this application.

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111

Serial Number: 09/218,916

Filing Date: December 22, 1998

Title: EVENT NOTIFICATION WITHIN A LOCAL SYSTEM

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If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-0439.

Respectfully submitted,


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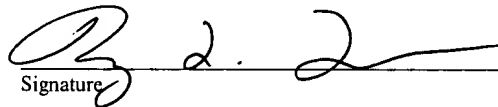
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231, on this 4th day of October, 2001.

Rodney L. Lacy

Name



Signature

Clean Version of Pending Claims

EVENT NOTIFICATION WITHIN A LOCAL SYSTEM

Applicant: Larry A. Nickum

Serial No.: 09/218,916

2/1/91

1. (Twice Amended) An event notification system, comprising:

- a computer having a CPU and memory and which executes an operating system operative to manage computer programs and wherein said computer programs generate events, the computer further having a bus coupled to the CPU;
- a notification controller connected to the bus and operative to detect the generated events;
- a notification transceiver communicatively connected to the notification controller and capable of transmitting a message containing data on the event; and
- a portable transceiver including a notifier for receiving said message.

2. The system of claim 1 wherein the notifier is an LED.

3. The system of claim 1 wherein the notifier is an LCD panel operative to display a text based message.

4. The system of claim 1 wherein the notifier is a speech-synthesizer capable of producing an audible voice message.

5. (Previously Once Amended) The system of claim 1 wherein the notifier is a speaker operative to produce an audible indication that a message has been received.

6. The system of claim 1 wherein the notification transceiver is integrated with the notification controller.

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7. (Twice Amended) An event notification system, comprising:

B2 a computer having a CPU and memory and which executes an operating system operative to manage computer programs and wherein said computer programs generate events, the computer further having a bus coupled to the CPU;

a notification controller connected to the bus and operative to detect the generated events; and

a notification transceiver communicatively connected to the notification controller and capable of transmitting a message containing data on the event to activate a portable transceiver.

4/23/01
B3 8. (Once Amended) A method for notifying a remote user of an event occurring on a computer, the method comprising:

generating an event from a software program;

detecting the event;

signaling software controlling a notification controller coupled to a bus and a transceiver that the event has been detected; and

transmitting a message containing data about the event to a portable transceiver.

9. The method of claim 8 wherein the software program comprises an e-mail application.

10. The method of claim 8 wherein the software program comprises a fax interface program.

11. The method of claim 8 wherein generating an event comprises generating an interrupt request (IRQ) and detecting the event comprises responding to the interrupt.

12. The method of claim 8 further comprising activating a notifier on the portable transceiver to alert a user to the message.

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B3 13. (Once Amended) A computer-readable medium having computer-executable instructions for

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performing the steps of:

generating an event from a software program;
detecting the event;
signaling software controlling a notification controller coupled to a bus and a transceiver
that the event has been detected; and
transmitting a message containing data about the event to a portable transceiver.

14. The computer-readable medium of claim 13 wherein the software program comprises an e-mail application.

15. The computer-readable medium of claim 13 wherein the software program comprises a fax interface program.

16. The computer-readable medium of claim 13 wherein generating an event comprises generating an interrupt request (IRQ) and detecting the event comprises responding to the interrupt.

17. The computer-readable medium of claim 13 further comprising activating a notifier on the portable transceiver to alert a user to the message.

18. The computer-readable medium of claim 13 further comprising receiving an acknowledgment of the message.

19. The event notification system of claim 1 wherein the notification transceiver is further capable of receiving an acknowledgment to the message from the portable transceiver.

20. The event notification system of claim 7 wherein the notification transceiver is integral to

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the notification controller.

21. The event notification system of claim 7 wherein the notification transceiver operates at a frequency licensed for local use.

22. The event notification system of claim 7 wherein the notification transceiver is operable to receive an acknowledgment of the transmitted message.

23. The method of claim 8 further comprising receiving an acknowledgment of the message.